



INSIGHTS

108th Congress

September 13, 2004

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Weekly Summary

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INSIGHTS is prepared expressly for the Department of Energy's Office of Federal Energy Management Programs (FEMP). The purpose of **INSIGHTS** is to provide FEMP management staff with timely information on legislative activities relevant to the program. **INSIGHTS** is prepared for FEMP by Energetics, Incorporated, (202) 479-2748.

WEEKLY SUMMARY

CONGRESSIONAL SCHEDULE

House

- This week, the House may vote on the following bill:
 - *H.R. 5041 – FY 2005 Appropriations for Veterans' Administration, Housing and Urban Development, and Independent Agencies*

Senate

- This week, the Committee on Appropriations is scheduled to mark up three bills:
 - *S. (Unnumbered) - FY 2005 Appropriations for Interior and Related Agencies*
 - *S. (Unnumbered) - FY 2005 Appropriations for Agriculture, Rural Development and Food and Drug Administration*
 - *S. (Unnumbered) - FY 2005 Appropriations for Transportation and the Treasury*
- This week, the Senate may vote on the following bill:
 - *S. 2537 - FY 2005 Appropriations for Homeland Security (Tentative)*

FY 2005 BUDGET RESOLUTION AND FY 2005 APPROPRIATIONS

House

Last week, the House made progress on three bills. The House approved *H.R. 5006 – FY 2005 Appropriations for Labor, Health and Human Services, and Education*. The Committee on Appropriations approved two bills: *H.R. 5025 – FY 2005 Appropriations for Transportation and Treasury* and *H.R. 5041 – FY 2005 Appropriations for Veterans' Affairs, Housing and Urban Development, and Independent Agencies*. The bills include the following funding provisions of interest.

H.R. 5006 – FY 2005 Appropriations for Labor, Health and Human Services, and Education

Department of Labor

- Job Corps Centers - \$6.321 million for construction, rehabilitation, and acquisition of centers between July 1, 2005 - June 30, 2008.

- **Department of Health and Human Services**
- National Institutes of Health - \$99.5 million for buildings and facilities (design, construction, improvement and major repair of facilities – funds support the agency’s 77 buildings throughout the U.S.).

H.R. 5025 – FY 2005 Appropriations for Transportation and Treasury

- **Department of the Treasury**
- Treasury Building and Annex - \$20,316 million for repair and restoration.
- **General Services Administration**
- Federal Building Fund (funding expires September 30, 2006)
 - New Construction - \$522.251 million (represents a reduction of \$186.017 from FY 2004 actual appropriations; directs GSA to continue to work with the Administrative Office of the Courts on the office’s five-year plan and priority ranking recommendations).
 - **Repairs and Alterations - \$394.5 million (includes \$30 million for GSA’s Energy Program and \$49.699 million for the Design Program).**
- **Miscellaneous**
 - White House Restoration Project - \$1.7 million (for the design and replacement of equipment for existing cooling towers and related equipment).

H.R. 5041 – FY 2005 Appropriations for Veterans’ Affairs, Housing and Urban Development, and Independent Agencies

- **Department of Veterans’ Affairs**
 - Major Construction Projects - \$458.8 million to remain available until expended (\$370.709 million is earmarked for the Capital Asset Realignment for Enhanced Services).
 - Minor Construction Projects - \$230.799 million to remain available until expended.
 - Sec. 109. Amounts deducted from **enhanced-use lease proceeds** to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, maybe obligated during the fiscal year in which the proceeds are received.
 - Sec. 117. Notwithstanding any other provision of law, at the discretion for the Secretary of Veterans Affairs, **proceeds or revenues derived from enhanced-use leasing activities** (including disposal) that are deposited into the Medical Care Collections Fund may be transferred and merged with ‘Construction, major projects’ and ‘Construction, minor projects’ accounts and be used for construction (including site acquisition and

disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided in the construction accounts.

- **Environmental Protection Agency**

- Buildings and Facilities - \$39 million for construction, repair, improvement, extension, alteration, etc.

No schedule has been announced for moving *H.R. 5025* and *H.R. 5041* to the House floor for consideration and vote.

Senate

Last week, the Senate Committee on Appropriations began a discussion on establishing “302(b)” funding allocations, which serve as the foundation for FY 2005 appropriations bills; the committee has not made any announcement regarding their progress. Meanwhile, the committee is moving forward on marking up three appropriations bills this week:

- *S. (Unnumbered) - FY 2005 Appropriations for Interior and Related Agencies*
- *S. (Unnumbered) - FY 2005 Appropriations for Agriculture, Rural Development and Food and Drug Administration*
- *S. (Unnumbered) - FY 2005 Appropriations for Transportation and the Treasury*

To date, the Senate has approved the FY 2005 Appropriations bill for Defense (*P.L. 108-287*) and the Committee on Appropriations has marked up FY 2005 Appropriations for Homeland Security (*S. 2537*). *S. 2537* is currently being considered on the Senate floor; differences over amendments have delayed passage of the bill, but a vote may occur before the end of the week. **One main bill which has yet to be considered at the subcommittee level is *S. (Unnumbered) - FY 2005 Appropriations for Energy and Water Development***. Differences over issues dealing with funding for the Department of Energy’s (DOE) national laboratories and Yucca Mountain have delayed mark up of the bill at the subcommittee level. This bill provides funding for DOE’s Departmental Energy Management and Renewable Energy Programs.

Before adjourning for the fall campaign, the Senate is also expected to take up the FY 2005 Appropriations bills for Military Construction and Veteran’s Administration, Housing and Urban Development, and Independent Agencies. No schedule has been announced. Committee on Appropriations Chair Ted Stevens (R/AK) last week stated that he still plans to move each FY 2005 appropriations bill as an individual bill versus working toward an Omnibus bill.

COMPREHENSIVE ENERGY LEGISLATION

No progress has been made on comprehensive energy legislation since Congress returned from its summer recess. Both the House and Senate have approved corporate tax bills (*H.R. 4520* and *S. 1637*) that include energy-related tax incentives and only the Senate has named conference committee conferees. The policy-related provisions, if enacted, would be addressed in a separate bill. To date, the House has reintroduced its comprehensive energy bill and the Senate has yet to bring its bill to the Senate floor.

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STATUS OF FY 2005 APPROPRIATIONS BILLS

Red text highlights developments since the last issue of *INSIGHTS*.

(In Billions)

HOUSE

SENATE

Jurisdiction/ FY 2004 Budget Request (In Billions)	302(b) Discretionary Allocations/ Approved Funding Level (In Billions)	Bill No.	Full Cmte. Mark Up	Floor Vote	Vote on Conf Rpt.	302(b) Discretionary Allocations/ Approved Funding Level (In Billions)	Bill No	Full Cmte. Mark Up	Floor Vote	Vote on Conf. Rpt.
Agriculture \$16.569	\$16.78 \$16.77	H.R. 4766	6/23	7/13		TBD		9/14		
Commerce \$39.553	\$39.78 \$39.8	H.R. 4754	6/23	7/8		TBD				
Defense \$392.585 P.L. 108-287 \$416.2	\$392.14 \$416.9	H.R. 4613	6/16	6/22	7/22	TBD \$416.2	S. 2559	6/22	6/24	7/22
Energy and Water Development \$27.938	\$27.99 \$28.0	H.R. 4614	6/16	6/25		TBD				
Homeland Security \$31.104	\$32 \$32	H.R. 4567	6/9	6/18		TBD \$33.1 \$32	S. 2537	6/17	Week of 9/13*	
Interior \$19.982	\$19.73 \$19.5	H.R. 4568	6/9	6/17		TBD		9/14		
Labor/HHS \$142.050	\$142.05 \$142.324	H.R. 5006	7/14	9/9		TBD				
Military Construction \$9.553	\$9.553 \$10.003	H.R. 4837	7/9	7/22		TBD \$10.003	S. 2674	7/15	Week of 9/13*	
Transportation and Treasury \$25.714	\$25.714	H.R. 5025	9/8	Week of 9/13*		TBD		9/14		
VA/HUD \$92.129	\$92.129 \$92.9	H.R. 5041	7/22			TBD				

* Tentative Schedule

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NEW AUTHORIZATION LEGISLATION

(Note: Once a new bill is introduced, the Government Printing Office generally requires from several days to one week to make the bill available in print)

HOUSE

No new bills of interest to report.

SENATE

No new bills of interest to report.

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ADMINISTRATION INITIATIVES

No activities or announcements of interest to report.

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HEARINGS, MARK UPS, AND VOTE SCHEDULE

HOUSE – COMMITTEE ON APPROPRIATIONS

Date/Committee	Chair	Hearing Title/Issues	Witnesses	Time/ Location
Week of September 13	N/A	Floor Vote	N/A	TBA U.S. Capitol
Full Senate (NEW – Tentative)		H.R. 5025 – FY 2005 Appropriations for Transportation and the Treasury		

HOUSE – AUTHORIZATIONS/OVERSIGHT

No hearings, mark ups or votes of interest have been scheduled.

SENATE – COMMITTEE ON APPROPRIATIONS

Date/Committee	Chair	Hearing Title/Issues	Witnesses	Time/ Location
September 14 - <i>Committee on</i>	Ted Stevens (R/AK)	Mark Up of three bills – <i>FY 2005 Appropriations for</i>	N/A	3:00 p.m. Room G50 Dirksen Office

Date/Committee	Chair	Hearing Title/Issues	Witnesses	Time/ Location
Appropriations (NEW)		Interior and Related Agencies		Building
		Agriculture, Rural Development, and Food and Drug Administration		
		Transportation and the Treasury		

SENATE – AUTHORIZATIONS/OVERSIGHT

No hearings, mark ups or votes of interest have been scheduled.

CONFERENCE COMMITTEE NEGOTIATIONS AND FLOOR VOTES

No activities of interest have been scheduled.

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